

Exhibit 31



Ashley Neese <[REDACTED]@gmail.com>

FW: Your FOIA Request DOJ-2019-000550

1 message

[REDACTED]@gtlaw.com <[REDACTED]@gtlaw.com>
 To: [REDACTED]@gmail.com

Sat, Mar 23, 2019 at 1:59 PM



David G. Barger
 Shareholder,

Chair, Tysons Litigation Group
 Greenberg Traurig, LLP | 1750 Tysons Boulevard, Suite 1000 | McLean, VA 22102
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**EXHIBIT 31**

From: Barger, David G. (Shld-NVA-LT)
 Sent: Saturday, March 23, 2019 1:53 PM
 To: 'Castellano, Daniel (OIP)' <Daniel.Castellano@usdoj.gov>
 Subject: RE: Your FOIA Request DOJ-2019-000550

Dan, I am following up on my emails to you of February 22 and March 1 to see if you can provide me an update on the production of documents from our appeals.

On February 5, 2019, you advised that it would be at least a month, and on February 26 you advised that it would be 3-4 weeks for one of the appeals and 3-4 months for the other. As I have advised a number of govt components, the delays continue to prejudice my client and the failures by the components to produce documents are clear statutory violations. Please let me know when we can expect at least the first production. As I have stated to numerous others in the past, we will also take rolling production. Thank you. David.

As always, I am happy to talk about the matter.



David G. Barger
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From: Castellano, Daniel (OIP) [mailto:Daniel.Castellano@usdoj.gov]
Sent: Tuesday, February 26, 2019 3:02 PM
To: Barger, David G. (Shld-NVA-LT) <[REDACTED]@gtlaw.com>
Subject: RE: Your FOIA Request DOJ-2019-000550

Good afternoon,

Both appeals are still pending and we are working diligently to handle them as quickly as possible. Requests and appeals are handled on a first-in, first-out basis. I would anticipate a response from our office on Appeal No. DOJ-AP-

2019-001476 in the next three or four weeks. For the other appeal, DOJ-AP-2019-001474, I would anticipate a response from our office in the next three or four months.

Sincerely,

Daniel R. Castellano

Senior Attorney

U.S. Department of Justice

Office of Information Policy

From: [REDACTED]@gtlaw.com <[REDACTED]@gtlaw.com>
Sent: Friday, February 22, 2019 3:55 PM
To: Castellano, Daniel (OIP) <dcastellano@jmd.usdoj.gov>
Subject: FW: Your FOIA Request DOJ-2019-000550

Daniel, I am following up on your email to me of Feb. 5, 2019, advising me that you are assigned to my client, Ashley Neese's appeals DOJ -AP-2019-001474 and 001476. I am writing to inquire if you can give me an update on the appeal, and hopefully an idea on when we may expect production. For your assistance, I am attaching a copy of a letter from OIP dated Feb. 13, indicating that EOUSA submitted 40 pages of material to OIP on October 30, 2018 for processing and direct response to us. This is the first time we have been made aware that EOUSA had information, and that it supplied it to OIP. Obviously I have grave concerns that this information has been in the hands of various DOJ components for months and not been produced, in clear violation of the statutory requirements.

As our appeal history makes clear, it is extremely troubling despite repeated requests to various components, that nothing of consequence has ever been produced.

Candidly, it strongly appears that DOJ is attempting to cover up some problem by consistently failing to be responsive to these requests. I am happy to speak with you directly and would encourage you to give me a call. Please let me know when we can expect production of the information. My client continues to be substantially prejudiced by DOJ's intentional delays. I do not blame you since you have only recently been tasked with handling this matter. But as a former longtime DOJ and USAO employee, I do appeal to you make this right. Regards. David.



David G. Barger
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From: OIP-NoReply [<mailto:OIP-NoReply@usdoj.gov>]
Sent: Wednesday, February 13, 2019 11:46 AM
To: Barger, David G. (Shld-NVA-LT) <[REDACTED]@gtlaw.com>
Subject: Your FOIA Request DOJ-2019-000550

Attached is this Office's acknowledgement of the above-referenced referral of records.

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